

## **REMARKS/ARGUMENTS**

Claims 1-28 remain in the application.

### **A. Drawings.**

The amendments to the specification and to the drawings are believed to overcome each of the objections stated in the Office action.

### **B. Claim objections.**

The amendments to the claims are believed to overcome each of the objections stated in the Office action.

### **C. Rejections under 35 U.S.C. 103.**

Claims 1-28 were rejected under 35 U.S.C. 103 based upon Nadkarni in view of Joao. This rejection is respectfully traversed.

Claim 1 calls for, among other things, a plurality of needs profiles, wherein each need profile comprises a data record specifying attributes about a need. Claim 1 further calls for a matching engine coupled to repetitively and automatically examine the needs profiles to identify matches with capability profiles. At least these features of claim 1 are not shown or suggested in the relied on references.

Nadkarni shows a resume database that can be searched by prospective employers. While an employer can formulate a query, a query is not equivalent to the "needs profile" of claim 1. A query is a request, not a data record. A query contains structure components that are consistent with protocols used by a particular database. A needs profile of claim 1 specifies attributes about a need. Hence, Nadkarni does not show or suggest a plurality of needs profiles as called for in claim 1.

The "matching engine" of claim 1 repetitively and automatically examines both needs profiles and capability profiles to identify matches. Nadkarni involves the use of a database engine or search engine that evaluates a query and then executes that query against a particular database of resumes. The concept of

matching is distinct from the concepts of searching/querying. The claimed matching engine bases a match upon correspondence of attributes in two data records (e.g., a needs profile and a capability profile). In contrast, a search finds records that satisfy a particular set of criteria, not correspondence between two data records.

For at least these reasons claim 1 is distinct from Nadkarni. The Joao reference does not supply the deficiencies of Nadkarni. Joao is also a database search system, although automation of the searches is contemplated. However, the Joao reference provides a useful illustration of the differences between searching a database and matching profiles. At column 22 Joao describes a process, illustrated in Fig. 5, in which a user enters self-descriptive information in step 202. As a separate step 207, the user enters job search criteria. A job query is generated in step 208 based exclusively on the search criteria. In other words, the query does not even attempt to *match* the self-descriptive information to the database of posted jobs. Instead, the self-descriptive information is only used later by the prospective employer to evaluate an applicant.

As a specific example, consider an individual who enters self-descriptive information stating that he has one year experience as an engineer. The individual then specifies search criteria looking for any engineering job that pays more than \$150,000/year. The Joao system, even when combined with the Nadkarni system, may return a list of job postings that satisfy the search criteria, but that require a minimum of 10 years experience. It is then left to the individual and/or the employer to manually evaluate whether the applicant matches the job posting. Even if such a search is automated it fails to provide the advantages of the system of claim 1 in which capability profiles are *matched* to needs profiles repetitively and automatically.

In view of the above, claim 1 and claims 2-11 that depend from claim 1 are allowable over Nadkarni in view of Joao.

Claim 12 and claim 15 call for a data record that is formatted for use in and continuously accessible by an external matching engine. As set out with respect to claim 1, Nadkarni in combination with Joao fail to show or suggest such a data record. For at least these reasons claims 12 and 15, as well as claims 13-14 that depend from claim 12 and claims 16-17 that depend from claim 15 are allowable over the relied on references.

Claim 18 calls for, among other things, a mechanism for continuously comparing profiles in the database to identify matches between hiring agents and job applicant agents. As set out hereinbefore, Nadkarni and Joao both teach, at most, automated searching. However, the references do not show or suggest automated and repetitive matching of profiles. For at least these reasons claim 18 and claims 19-20 that depend from claim 18 are allowable over the relied on references.

Claim 21 calls for, among other things, at least one restricted information section within a profile such that the profile can be accessed while the restricted information remains protected. Claim 21 further calls for automatically matching profiles based on correspondence of attributes specified in the profiles, including attributes within the restricted section. These features of claim 21 are not shown or fairly suggested by Nadkarni in view of Joao.

Joao teaches that information such as self-descriptive information can be either specific or generic, one or the other. Hence, if generic information is entered, the specific information is withheld. There is no hint or suggestion that either the specific or generic information is restricted—when presented the generic or specific information is unrestricted. Joao does not suggest that information can be used for matching purposes and at the same time prevented from disclosure as called for in claim 21. For at least these reasons claim 21 is allowable over the relied on references.

Claim 22 calls for, among other things, a specific state machine having a set of specified stated and claim-specified transitions between states. The Office

action merely recites a disjointed list of actions performed by the two references. Actions do not define a state machine. Disjointed actions cannot show or suggest the specific transitions called for in claim 22. For at least these reasons claim 22 is allowable over the relied on reference.

Claims 23 and 28 are distinct with respect to Nadkarni in view of Joao for at least the reasons set out above in regard to claim 1. Claims 24-27 depend from claim 23 and are believed to be allowable for at least the same reasons as claim 23 as well as for the individual limitations appearing in those claims.

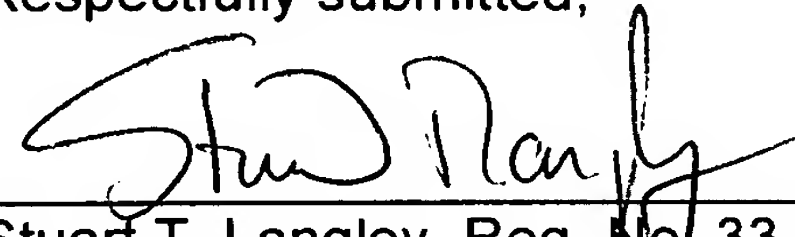
**D. Conclusion.**

In view of all of the above, claims 1-29 are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

Any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

April 14, 2005

Respectfully submitted,



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**A. Amendments to the Drawings:**

The attached 2 sheet(s) of drawings includes changes to Fig. 3, Fig. 11 and FIG. 12. Sheet 2, which includes Figs. 2-3, replaces the original sheet including Fig. 2-3. In Figure 2, the number of elements 341 and 342 is corrected. In Sheet 9, Figure labels "FIG. 11" and "FIG. 12" are added as well as element labels 404 and 406 to provide reference to the specification and other drawings. Sheet 9 is also amended to remove extraneous text. No new matter is added by these amendments.

Attachment: Replacement Sheets (2)